

Reference Number: 400-16-DD

Title of Document: Employees Running or Intending to Run for Public Office in a Partisan Election

Date of Issue: January 1, 1997

Effective Date: January 1, 1997

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Applicability: All DDSN Employees

The language used in this policy does not create an employment contract between the employee and the Department of Disabilities and Special Needs (SCDDSN). SCDDSN reserves the right to revise the contents of this policy, in whole or in part.

PURPOSE

The purpose of the directive is to outline DDSN policy for DDSN employees running or intending to run for public office in a partisan election.

PHILOSOPHY STATEMENT

The Department of Disabilities and Special Needs (DDSN) believes that the public interest in, and the public perception of the fair, efficient and impartial administration of state government requires that DDSN employees who run or indicate an intent to run for political office in partisan elections should not remain in the workplace during the time that they are or appear to be candidates for such office.

POLICY

DDSN employees who have declared as a candidate for political office in a partisan election or filed as a candidate for political office in a partisan election or who have otherwise indicated an intent to run for such office may not remain in their positions. Such employees may request annual leave, leave without pay, or may resign from employment. Employees desiring to leave may be permitted to do so within state and agency personnel guidelines. If annual leave is unavailable or insufficient to cover the duration of the candidacy, the leave of absence or balance thereof must be without pay. The maximum leave of absence may not exceed 180 calendar days.

Employees intending to run for political office in a partisan election must submit through appropriate administrative channels to the State Director, DDSN, a written notice outlining their intentions to file for office and any other relevant facts. They should include an analysis of any potential conflict that might occur during the campaign or while holding an elective office and a statement of whether they propose to continue employment with DDSN if elected. Since election to or the holding of any public office may create conflicts, such as dual office holding,

or the appearance of conflicts, an employee who wins a general election may be required to resign his or her employment.

Upon receipt of notice of an employee's intent to file for office in a partisan election, the State Director will decide what employment action will be required by the employee. Employees who declare as a candidate or file for political office in a partisan election or otherwise indicate an intent to run in such an election without previously consulting the State Director will be considered to have resigned their employment.

Employees who indicate an intent to run for office in a partisan election either expressly or implied (such as by fundraising, commissioning an opinion/name recognition poll, or other suggestive conduct) create the same conflict as and perhaps an even worse appearance of conflict than employees who announce unequivocally for office. If the State Director learns of evidence that an employee intends to run for office, he (or a designee) will confer with the employee to determine the employee's intent. If the employee denies an intent to run for such office he or she may be required to sign an unequivocal statement to that effect.

COMMUNICATION

The information contained in the directive should be communicated immediately to all current employees and included in general orientation training for all new employees.

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(Originator)

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State Director
(Approved)